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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/185,550	11/04/1998	MINORU SEKIGUCHI	8261516JDH	5524

21171 7590 04/16/2004

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SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

EDOUARD, PATRICK NESTOR

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 04/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/185,550

Applicant(s)

SEKIGUCHI

Examiner

Patrick N. Edouard

Art Unit

2654



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Sep 11, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 13 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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### **DETAILED ACTION**

1. This office action is in response to communication filed 9/11/03 (paper #8). Claims 1-3 and 13 are pending.

2. Applicant's arguments with respect to claims 1-3 and 13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo (6,396,954) in view of Young et al (6,064,959) and Wachtel (5,870,701).

As per claims 1, 2 and 13, Kondo teaches a sensor data process method for processing data obtained from a sensor, comprising the steps of:

“storing data groups in a database in which a word is attached to each of said data group, said data groups being obtained by classifying inputs from said sensor directly of after processing” (figure 6, his integrated parameter construction 26);

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“Classifying an input from said sensor using said database to output a classification result”(figure 6, his classification data construction unit 24).

It is noted that Kondo teaches the claimed invention but does not explicitly teach: “Temporarily storing input data from said sensor as data of a new data group after classifying said input data when it is determined that said input data does not belong to any of said groups classified in said database”; and “attaching a word to said data of said new group temporarily stored to store said data of new group in said database”. However, this feature is well known in the art as evidenced by Young et al who teach at col. 20 lines 13-41, when the system does not recognize a word, it activates the word from a backup dictionary by adding the word to the active dictionary. Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to incorporate into Kondo a backup dictionary for activating the word as taught by Young et al because it provides a more versatile system capable of adding new word to the active dictionary.

It is further noted that the combination of Kondo with Young teaches the claimed invention but does not explicitly teach storing a data group in a database in which a natural language word representing a characteristic of a corresponding data group. However, this feature is well known in the art as evidenced by Wachtel who teaches at the abstract and in figure 2 a signal processing for processing words or the elements of a natural language which falls into a plurality of different categories, in which the category of each input signal is determined, search data dependent upon the category is stored and an output signal is provided and a lexicon 132

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that contains a list of all words which may be processed and defines the grammatical categories of these words at col. 4, lines 10 to 47. Therefore, one having ordinary skill in the art at the time the invention was made would have found it obvious to incorporate into the combination of Kondo with Young's system a system comprising a lexicon as taught by Wachtel because it would a powerful, fast and efficient signal processing technique which may form part of complex systems for a variety of different applications.

As per claim 2, Wachtel further teaches the word being a natural language noun when the group has a static characteristic and a natural language verb when the group has a dynamic characteristic ( figure 2, his lexicon 132).

As per claim 3, Kondo et al teach status judging means for judging a status using a certain word attached to a group ( figure 6, his adaptivity determination unit 27).

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 308-9051, (for formal communications intended for entry) Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The examiner can normally be reached on Tuesday-Friday from 07:30 a.m.-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached on (703) 305-4379.

The facsimile phone number for this Art Unit is (703) 305-9508. Alternatively, facsimile messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice mailbox

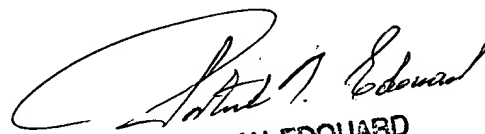
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(telling the examiner that a fax was received) and be automatically printed (i.e. - no delay by the examiner).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

November 26, 2003



PATRICK N. EDOUARD  
PATENT EXAMINER